

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ELVIA BELTRAN,

Defendant.

CASE NO. MJ24-268

DETENTION ORDER

The Court has conducted a detention hearing under 18 U.S.C. §§ 3142(f), and 3143 concludes there are no conditions which the defendant can meet which would reasonably assure the defendant's appearance as required or the safety of any other person and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

Defendant was sentenced in 2019 in the Eastern District of Washington for possession with intent to distribute heroin. The Court imposed a sentence of 33 months of incarceration. Defendant was scheduled to self-surrender to the Federal Detention Center in SeaTac on February 19, 2019 but failed to report. Defendant has been at large until her arrest on May 7, 2024. Because Defendant has been found guilty and sentenced to a term of imprisonment, the Court is required to order she be detained unless the Court finds by clear and convincing evidence she is not likely to flee or pose a danger to others or the community. The Court finds Defendant fails to make this showing in light of how she failed to turn herself in to start her

1 prison sentence and remained a fugitive for five years. Defendant argues there are extraordinary
2 circumstances that support release such as Defendant's childcare responsibilities and the
3 condition of the Federal Detention Center. The Court is not persuaded these are sufficiently
4 extraordinary to merit release under the circumstances of this case.

5 It is therefore **ORDERED**:

6 (1) Defendant shall be detained pending trial and committed to the custody of the
7 Attorney General for confinement in a correctional facility separate, to the extent practicable,
8 from persons awaiting or serving sentences, or being held in custody pending appeal;

9 (2) Defendant shall be afforded reasonable opportunity for private consultation with
10 counsel;

11 (3) On order of a court of the United States or on request of an attorney for the
12 Government, the person in charge of the correctional facility in which Defendant is confined
13 shall deliver the defendant to a United States Marshal for the purpose of an appearance in
14 connection with a court proceeding; and

15 (4) The Clerk shall provide copies of this order to all counsel, the United States
16 Marshal, and to the United States Probation and Pretrial Services Officer.

17 DATED this 10th day of May, 2024.

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20 BRIAN A. TSUCHIDA
21 United States Magistrate Judge
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